



UNITED NATIONS



THIRD CONFERENCE ON THE LAW OF THE SEA

Distr.
LIMITED

A/CONF.62/C.2/L.36
5 August 1974

ORIGINAL: ENGLISH

SECOND COMMITTEE

Jamaica: draft articles on item 2.1

Rights of developing geographically disadvantaged States within a territorial sea beyond 12 miles

Article 1

The régime applicable to any territorial sea extending beyond 12 miles provided for in article ... of this Convention shall be subject to the rights of developing geographically disadvantaged States as contained in articles 2, 3, 4 and 5 of this draft.

Article 2

1. In any region where there are geographically disadvantaged States, the nationals of such States shall have the right to exploit the renewable resources within any territorial sea extending beyond 12 miles in such a region, for the purpose of fostering the development of their fishing industry and satisfying the nutritional needs of their populations.

2. The States of the region shall co-operate to the fullest extent in order to secure the enjoyment of this right.

Article 3

Except as provided in article 4, nothing in articles 1 and 2 shall apply to territories under foreign domination or forming an integral part of metropolitan powers outside the region.

Article 4

In the application of articles 1 and 2 to the Associated States, self-governing territories and territories under foreign domination, the rights thereby conferred shall be so applied as only to confer rights on the inhabitants of such territories for the purpose of their domestic needs.

A/CC P.62/C. 1/ 1.25
English
Page 2

Article 5

For the purposes of these articles:

1. "geographically disadvantaged States" means developing States which are
 - (a) land-locked; or
 - (b) for geographical, biological or ecological reasons
 - (i) derive no substantial economic advantage from establishing a territorial sea extending beyond 12 miles; or
 - (ii) are adversely affected in their economies by the establishment of a territorial sea beyond 12 miles by other States; or
 - (iii) have short coastlines and cannot extend uniformly their national jurisdiction.
 2. "nationals" include enterprises substantially owned and effectively controlled by nationals.
-